

CHAPTER 2. THE CERTIFICATION PROCESS--FEDERAL AVIATION REGULATIONS PARTS 121 AND 135

SECTION 5. CERTIFICATION PHASE

135. GENERAL. The certificate and approved operations specifications are issued to the applicant after all significant unsatisfactory items have been corrected. This action completes the certification process. The applicant shall not be certificated under any circumstance until the certification project manager (CPM) has determined that the applicant is fully capable of fulfilling its responsibilities as charged by Title 49, United States Code (U.S.C.) (formerly the Federal Aviation Act (FA Act) of 1958) and that the applicant will comply with the Federal Aviation Regulations (FAR) in an appropriate manner.

137. PREPARATION OF FEDERAL AVIATION ADMINISTRATION (FAA) CERTIFICATES. FAA Form 8430-18, "Air Carrier Certificate," shall be used for an air carrier certificate. FAA Form 8430-21, "Operating Certificate," shall be used for an operating certificate (see figures 2.2.5.1., 2.2.5.2., and 2.2.5.3.). The following information must be imprinted or typed on the appropriate form when the certificate is prepared for issuance:

A. *The Certificate Holder's Name.* The certificate holder's full and official name shall be entered directly below the words "This certifies that" Other names, such as "doing business as" (DBA) names, shall not be printed on a certificate.

NOTE: This explains the present variance between the FAR and FAA Order 8400.10 concerning policy regarding the placement of business names (and/or DBA's) on FAR Part 135 air carrier certificates. Although the deletion of DBA's from air carrier certificates was considered to be an administrative change via the 8400.10 handbook (Change 2), it would be REQUIRED upon the adoption of proposed FAR Part 119. FAR Part 119 prescribes the content of air carrier certificates and operations specifications. Some flight standards district offices (FSDO) have received requests by FAR Part 135 air carrier certificate holders to place business names on operating certificates. These requests are consistent with FAR Part 135. FAR § 135.11, "Application and Issue of Certificate and Operations Specifica-

tions," states the following: "An applicant who meets the requirements of this part is entitled to--(1) An ATCO [air taxi/commercial operator] operating certificate containing all business names under which the certificate holder may conduct operations. . . ." FAR § 135.29, "Use of business names," states, in pertinent part, the following: "No certificate holder may operate an aircraft under [FAR Part 135] under a business name that is not on the certificate holder's operating certificate." Until the present regulations are superseded or modified, inspectors shall honor an FAR Part 135 air carrier's request to list DBA's on the air carrier certificate.

B. *The Certificate Holder's Address.* The physical location address of the certificate holder's principal base of operations shall be entered directly below the certificate holder's name. A post office box address is not acceptable unless it also reflects the physical location of the principal base of operations. The address on the certificate must be a physical location and may or may not be the same as the mailing address.

C. *The Certification Statement of Authority.* The pre-printed certification statement of authority on the Air Carrier Certificate (FAA Form 8430-18) shall not be modified (figure 2.2.5.1.). However, the pre-printed certification statement of authority on the Operating Certificate (FAA Form 8430-21) must be completed by imprinting or typing the following phrases in the spaces provided to complete the certificate, as appropriate:

(1) Operating Certificate for Intrastate Common Carriage (Figure 2.2.5.2.).

(a) In the first space, enter "Intrastate Common Carriage Operations."

(b) In the second space, enter "and the terms, conditions, and limitations in the approved operations specifications."

(c) In the third space, enter "indefinitely."

(2) *Operating Certificate for Private Carriage* (Figure 2.2.5.3.).

(a) In the first space, enter "Private Carriage Operations."

(b) In the second space, enter "and the terms, conditions, and limitations in the approved operations specifications."

(c) In the third space, enter "indefinitely."

D. *The Assigned Certificate Number.* The final certificate number will be obtained from AFS-620 in accordance with paragraph 41, and will be imprinted or typed in the space provided on the form.

E. *The Effective Date of Certificate.* The date to be entered in the space provided shall be the date of issuance. If a certificate is to be changed due to an address change or a change of the certificate-holding district office (CHDO), the date of original issuance shall be retained on the changed certificate. A change of name for the air operator or a change in the certification statement of authority has the effect of a new certification; therefore, a new certificate and certificate number shall be issued. For this situation, the issuance date of the new certificate will be entered in the space provided.

F. *The Certificate-Holding District Office's Designator.* The four-character, alpha-numeric designator of the CHDO shall be imprinted or typed into the "issued at" space of the form (for example, EA18).

G. *The Signature Block.* Air carrier certificates issued to air operators complying with FAR Part 135 commuter rules, shall be signed by the regional flight standards division (RFSD) manager or a designated member of the manager's staff. All other air operators certificates shall be signed by the CHDO manager.

H. *The Signature, Title, and Region/Office Block.* The full title of the person signing the certificate shall be entered in the space provided. When the RFSD manager signs the certificate, the full name of the region shall be entered in the "region/office" space (for example, Southwest Region). When the FSDO manager signs the certificate, the full name of the region and the FSDO acronym and number shall be entered in the "region/office" space (for example, Southwest Region, FSDO 18).

139. ISSUANCE OF OPERATIONS SPECIFICATIONS AND CERTIFICATE.

A. When it is determined that the applicant has met all regulatory requirements, the appropriate certificate and operations specifications will be presented to the applicant. The operations specifications will be prepared in accordance with the procedures in volume 3, chapter 1.

B. An applicant for an air carrier certificate will not, for any reason, be issued operations specifications or a certificate until the applicant has presented a copy of its Department of Transportation (DOT) economic authority (either a certificate or registration) to the CPM.

C. Before issuance, the operations specifications will be signed by the applicant and the appropriate principal inspectors. The original certificate and operations specifications will then be given to the new certificate holder.

141. CERTIFICATION REPORT. When the new operator is certificated, the CPM is responsible for assembling a certification report. This report must be signed by the CPM and will include the name and title of each team member who assisted in the certification project. The report will be maintained in the permanent file relating to the new operator during the business life of the operator. The report shall consist of 5 sections, A through E, as follows:

A. The formal application letter.

B. The compliance statement.

C. A copy of the operations specifications issued.

D. A copy of the certificate issued

E. A summary of major difficulties experienced during the certification process and/or any recommendations that may enhance the process must be noted by phase and specialty. This summary will be entered into the Program Tracking and Reporting Subsystem (PTRS) in chronological order and will be maintained in the archival records. For standardization, the following format for summaries of major difficulties and/or recommendations will be arranged as follows:

(1) Preapplication Phase (Operations, Maintenance, Avionics). Include summaries of difficulties or recommendations by specialty.

(2) Formal Application Phase (Operations, Maintenance, Avionics). Include summaries of difficulties or recommendations by specialty.

(3) *Document Compliance Phase (Operations, Maintenance, Avionics)*. Include summaries of difficulties or recommendations by specialty.

(4) *Demonstration and Inspection Phase (Operations, Maintenance, Avionics)*. Include summaries of difficulties or recommendations by specialty.

143. CERTIFICATION REPORT RETENTION.

A. The district office shall retain the original of the certification report as long as the certificate holder remains active.

B. A copy of the certification report for a FAR Part 135 commuter air carrier or a FAR Part 121 air carrier shall be forwarded to the regional office for review and action, if appropriate. The review process shall include an analysis of the major difficulties experienced during the certification process.

144.-148. RESERVED.

FIGURE 2.2.5.1.
AIR CARRIER CERTIFICATE

U.S. Department
of Transportation

**Federal Aviation
Administration**

Air Carrier Certificate

This certifies that

has met the requirements of the Federal Aviation Act of 1958, as amended, and the rules, regulations, and standards prescribed thereunder for the issuance of this certificate and is hereby authorized to operate as an air carrier and conduct common carriage operations in accordance with said Act and the rules, regulations, and standards prescribed thereunder and the terms, conditions, and limitations contained in the approved operations specifications.

This certificate is not transferable and, unless sooner surrendered, suspended, or revoked, shall continue in effect indefinitely.

By Direction of the Administrator

Certificate number _____

(Signature)

Effective date _____

(Title)

Issued at _____

(Region/Office)

FIGURE 2.2.5.2
OPERATING CERTIFICATE FOR INTRASTATE COMMON CARRIAGE



U.S. Department
of Transportation

Federal Aviation
Administration

OPERATING CERTIFICATE

This certifies that

(Enter Intrastate Common Carriage Company Name)
(Enter Address of Principal Base of Operations)

has met the requirements of the Federal Aviation Act of 1958, as amended, and the rules, regulations, and standards prescribed therein for the issuance of this certificate and is hereby authorized to operate as an Air Operator and conduct

Intrastate Common Carriage Operations

in accordance with said Act and the rules, regulations, and standards; *and the terms, conditions, and limitations contained in the approved operations specifications*

This certificate is not transferable and, unless canceled, suspended, superseded, or revoked, shall continue in effect *indefinitely*.

By Direction of the Administrator

Certificate
number: _____

Effective date: _____

Issued at: _____

(Signature)

(Title)

FAA Form 8430-21

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FIGURE 2.2.5.3
OPERATING CERTIFICATE FOR PRIVATE CARRIAGE



U.S. Department
of Transportation

Federal Aviation
Administration

OPERATING CERTIFICATE

This certifies that

(Enter Private Carriage Company Name)
(Enter Address of Principal Base of Operations)

has met the requirements of the Federal Aviation Act of 1958, as amended, and the rules, regulations, and standards prescribed therein for the issuance of this certificate and is hereby authorized to operate as an Air Operator and conduct

Private Carriage Operations

in accordance with said Act and the rules, regulations, and standards; *and the terms, conditions, and limitations contained in the approved operations specifications*

This certificate is not transferable and, unless canceled, suspended, superseded, or revoked, shall continue in effect *indefinitely*.

By Direction of the Administrator

Certificate
number: _____

Effective date: _____

Issued at: _____

(Signature)

(Title)

FIGURE 2.2.5.4
CERTIFICATION PHASES AND GATES--FLOW DIAGRAM

PHASE I. PREAPPLICATION

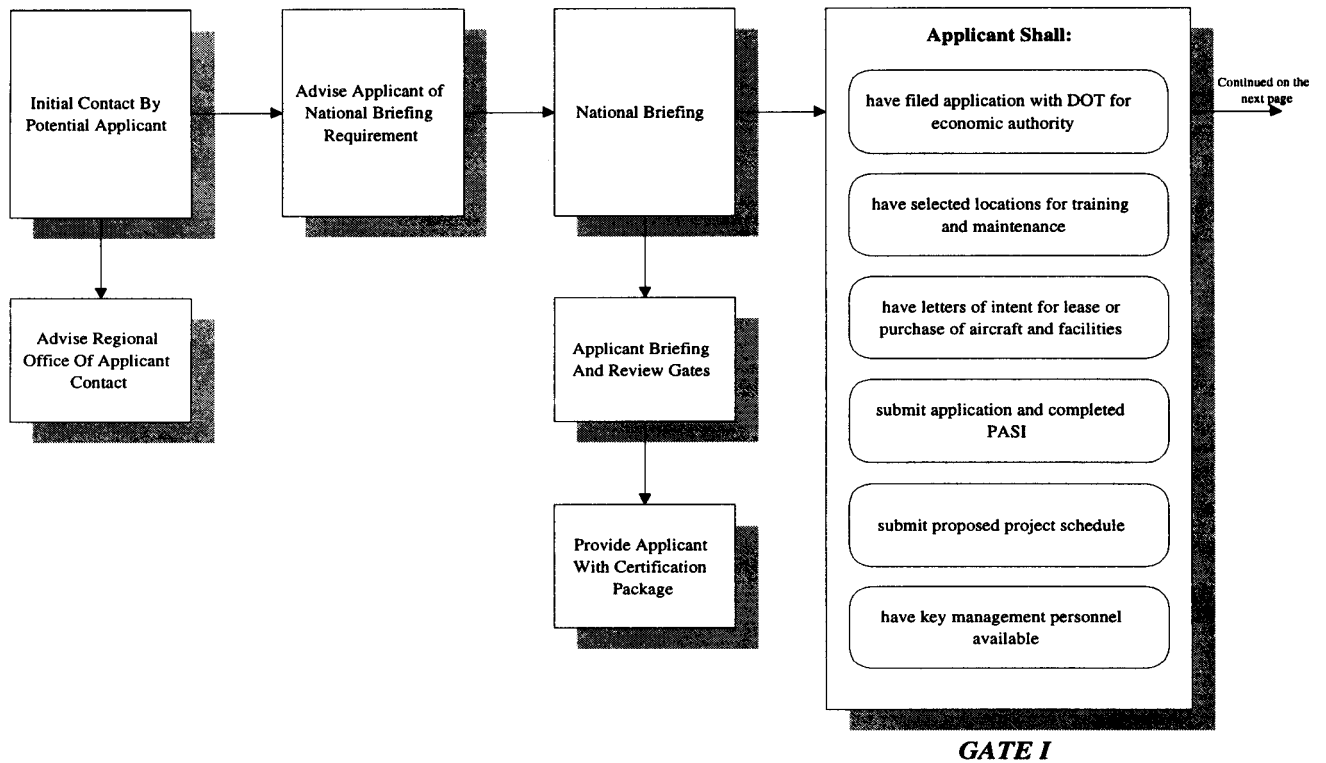


FIGURE 2.2.5.4--Continued
CERTIFICATION PHASES AND GATES--FLOW DIAGRAM

PHASE II. APPLICATION

PASI PROCESSING

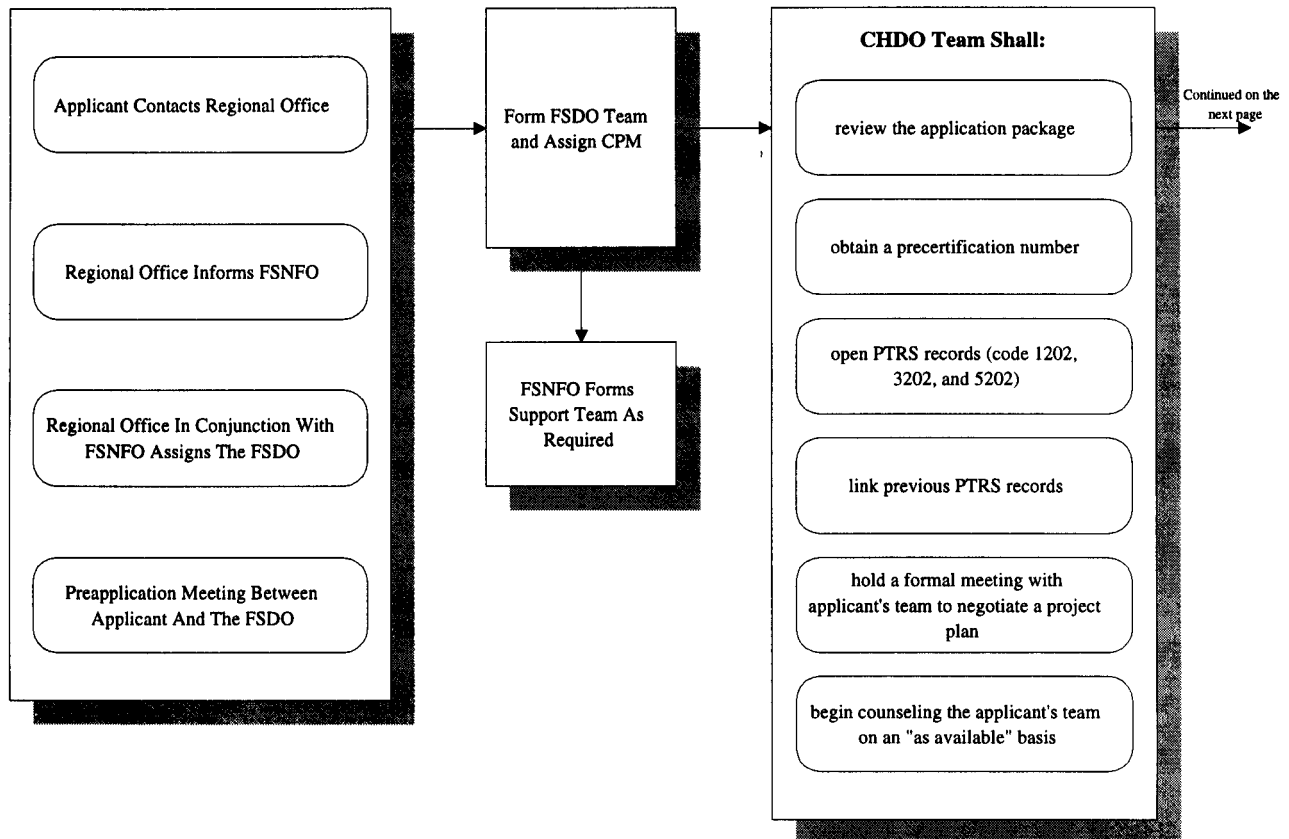


FIGURE 2.2.5.4--Continued
CERTIFICATION PHASES AND GATES--FLOW DIAGRAM

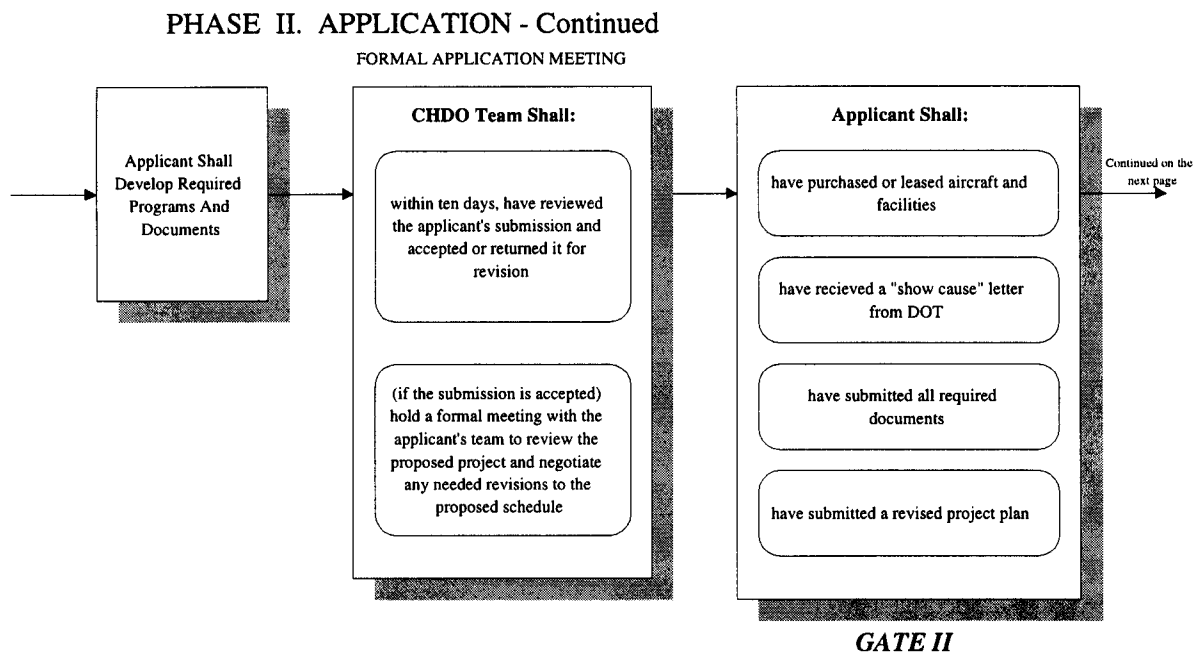


FIGURE 2.2.5.4--Continued
CERTIFICATION PHASES AND GATES--FLOW DIAGRAM

PHASE III. DOCUMENT COMPLIANCE AND REVIEW

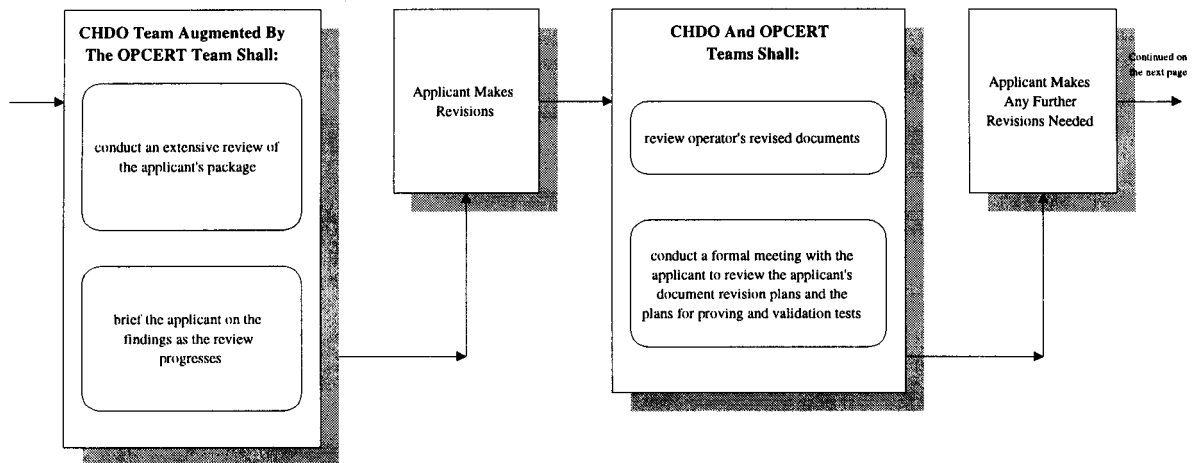


FIGURE 2.2.5.4--Continued
CERTIFICATION PHASES AND GATES--FLOW DIAGRAM

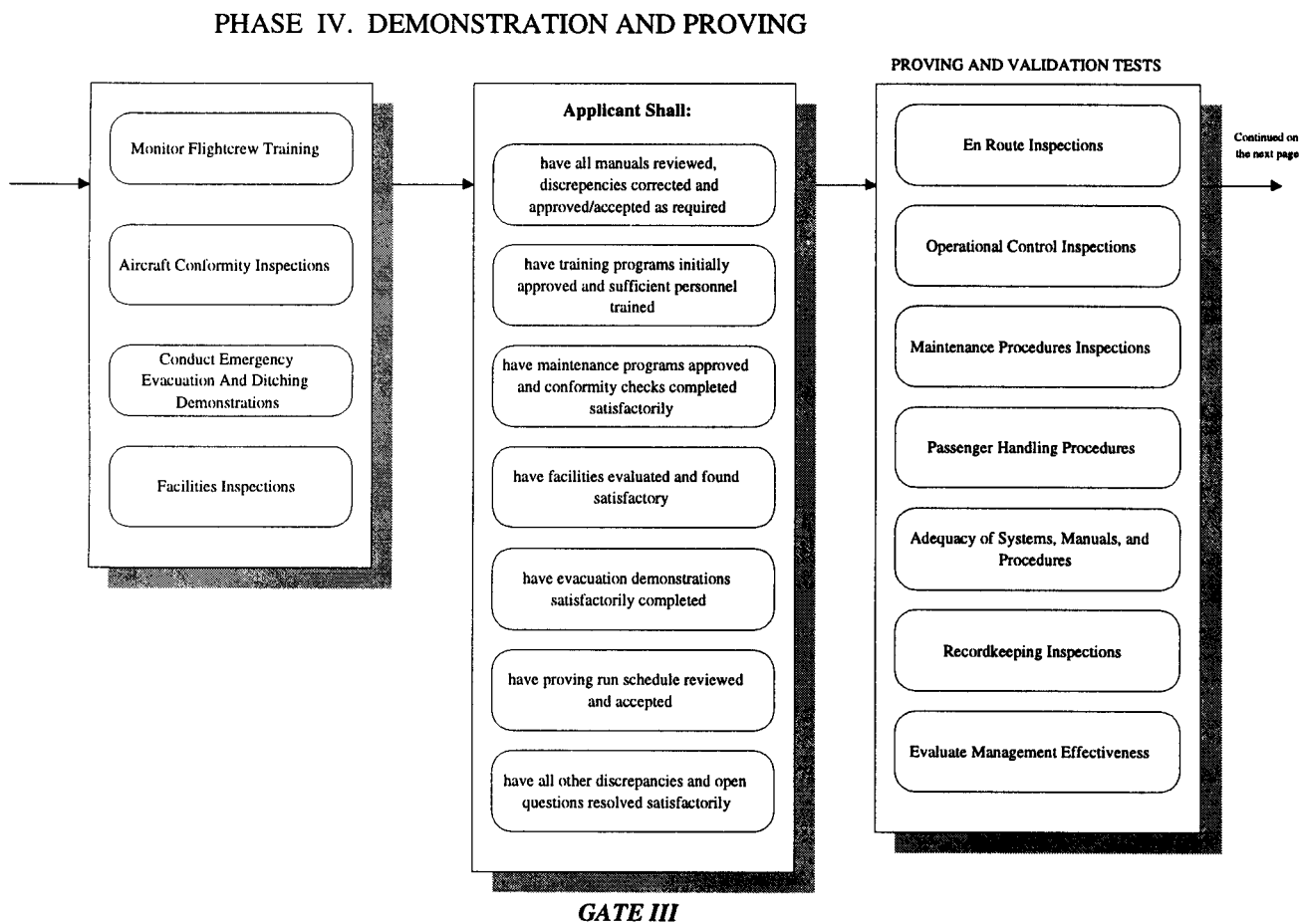


FIGURE 2.2.5.4--Continued
CERTIFICATION PHASES AND GATES--FLOW DIAGRAM

PHASE V. DOCUMENTATION

